

**BakerHostetler**

**Baker&Hostetler LLP**

45 Rockefeller Plaza  
New York, NY 10111

T 212.589.4200  
F 212.589.4201  
www.bakerlaw.com

Ganesh Krishna  
direct dial: 212.847.2823  
gkrishna@bakerlaw.com

August 26, 2021

**VIA ECF**

Honorable Cecelia G. Morris, Chief Judge  
United States Bankruptcy Court  
Southern District of New York  
One Bowling Green, Room 627  
New York, New York 10004-1408

*Re: Picard v. Square One Fund Ltd., Adv. Pro. No. 10-04330 (CGM) (Bankr. S.D.N.Y.)*

Dear Chief Judge Morris:

We represent Irving H. Picard, the trustee (“**Trustee**”) for the liquidation of Bernard L. Madoff Investment Securities LLC (“**BLMIS**”) and the substantively consolidated estate of Bernard L. Madoff in the above-referenced adversary proceeding.

It has come to our attention that the Proposed Case Management Plan submitted by the Trustee, that has subsequently been ordered (ECF No. 227) (“**Amended Case Management Plan**”) contained a clerical error. The initial Case Management Plan, entered July 16, 2019, allowed for 90 days between the close of fact discovery and the disclosures of expert testimony (ECF No. 178) (“**Initial Case Management Plan**”). The Amended Case Management Plan mistakenly only allowed for 30 days.

On August 3, 2021, Your Honor entered the Amended Case Management Plan following the July 28, 2021 hearing during which Your Honor granted the Trustee’s request to extend fact discovery by one calendar year. The adjustment of the expert discovery deadlines to correct this error does not affect Your Honor’s ruling on the ultimate fact discovery deadline. These amendments will simply apply the interim of deadlines initially agreed upon by the parties in the Initial Case Management Plan to expert discovery.

The Trustee’s requested edits would extend the end of all expert discovery to March 30, 2023 by adjusting the deadlines (i) to make all disclosures of expert testimony from August 31, 2022 to October 31, 2022; (ii) to make all applications for permission of the Court for expert

Honorable Cecelia G. Morris, Chief Judge

August 26, 2021

Page 2

testimony beyond the scope of the opinion covered by the disclosures from September 30, 2022 to November 30, 2022; (iii) to make all disclosures of opposition expert testimony from October 31, 2022 to December 30, 2022; and (iv) to conduct all depositions of expert witnesses from December 31, 2022 to February 28, 2023.

As Your Honor ordered that all discovery deadlines were to be extended by one calendar year during the July 28, 2021 hearing, the Trustee respectfully requests that this clerical error be remedied. Enclosed is a Proposed Amended Case Management Plan taking this edit into account as well as a redline showing the changes.

Please let us know if Your Honor has any questions.

Sincerely,

*/s Ganesh Krishna*

Ganesh Krishna

Partner